

JUN 29 2015

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
Atlanta DIVISION

JAMES N. HODGES, Clerk
By: *Nicole Mitchell* Deputy Clerk

Nicole Mitchell
(Print your full name)

Plaintiff *pro se*,

v.

Holiday Inn Express

(Print full name of each defendant; an employer is usually the defendant)

Defendant(s).

CIVIL ACTION FILE NO.

1:15-cv-2329

(to be assigned by Clerk)

PRO SE EMPLOYMENT DISCRIMINATION COMPLAINT FORM

Claims and Jurisdiction

1. This employment discrimination lawsuit is brought under (check only those that apply):

Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., for employment discrimination on the basis of race, color, religion, sex, or national origin, or retaliation for exercising rights under this statute.

NOTE: To sue under Title VII, you generally must have received a notice of right-to-sue letter from the Equal Employment Opportunity Commission ("EEOC").

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621 et seq., for employment discrimination against persons age 40 and over, or retaliation for exercising rights under this statute.

NOTE: To sue under the Age Discrimination in Employment Act, you generally must first file a charge of discrimination with the EEOC.

Americans With Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., for employment discrimination on the basis of disability, or retaliation for exercising rights under this statute.

NOTE: To sue under the Americans With Disabilities Act, you generally must have received a notice of right-to-sue letter from the EEOC.

Other (describe) _____

2. This Court has subject matter jurisdiction over this case under the above-listed statutes and under 28 U.S.C. §§ 1331 and 1334.

Parties

3. Plaintiff. Print your full name and mailing address below:

Name

Nicole Mitchell

Address

3465 Parc Drive SW

4. Defendant(s). Print below the name and address of each defendant listed on page 1 of this form:

Name

Diviya Petrzer

Address

101 Core St

Atlanta Ga 30314

Name

Address

Name

Address

Location and Time

5. If the alleged discriminatory conduct occurred at a location different from the address provided for defendant(s), state where that discrimination occurred:

6. When did the alleged discrimination occur? (State date or time period)

About 1yr since i started basically.

Administrative Procedures

7. Did you file a charge of discrimination against defendant(s) with the EEOC or any other federal agency? Yes No

If you checked "Yes," attach a copy of the charge to this complaint.

8. Have you received a Notice of Right-to-Sue letter from the EEOC?

Yes No

If you checked "Yes," attach a copy of that letter to this complaint and state the date on which you received that letter:

9. If you are suing for **age discrimination**, check one of the following:

60 days or more have elapsed since I filed my charge of age discrimination with the EEOC

Less than 60 days have passed since I filed my charge of age discrimination with the EEOC

10. If you were employed by an agency of the State of Georgia or unsuccessfully sought employment with a State agency, did you file a complaint against defendant(s) with the Georgia Commission on Equal Opportunity?

Yes

No

Not applicable, because I was not an employee of, or applicant with, a State agency.

If you checked "Yes," attach a copy of the complaint you filed with the Georgia Commission on Equal Opportunity and describe below what happened with it (i.e., the complaint was dismissed, there was a hearing before a special master, or there was an appeal to Superior Court):

11. If you were employed by a Federal agency or unsuccessfully sought employment with a Federal agency, did you complete the administrative process established by that agency for persons alleging denial of equal employment opportunity?

Yes

No

Not applicable, because I was not an employee of, or applicant with, a Federal agency.

If you checked "Yes," describe below what happened in that administrative process:

Nature of the Case

12. The conduct complained about in this lawsuit involves (check only those that apply):

failure to hire me
 failure to promote me
 ~~NM~~ demotion
 reduction in my wages
 working under terms and conditions of employment that differed from similarly situated employees
 harassment
 retaliation
 termination of my employment
 failure to accommodate my disability
 other (please specify) Working in unpleasurable conditions

13. I believe that I was discriminated against because of (check only those that apply):

my race or color, which is said by the owner
 my religion, which is _____
 my sex (gender), which is _____ male female
 my national origin, which is _____
 my age (my date of birth is _____)
 my disability or perceived disability, which is:

my opposition to a practice of my employer that I believe violated the federal anti-discrimination laws or my participation in an EEOC investigation

other (please specify) because of my skin color

14. Write below, as clearly as possible, the essential facts of your claim(s). Describe specifically the conduct that you believe was discriminatory or retaliatory and how each defendant was involved. Include any facts which show that the actions you are complaining about were discriminatory or retaliatory. Take time to organize your statements; you may use numbered paragraphs if you find that helpful. Do not make legal arguments or cite cases or statutes.

1. Every morning i have to wait for linen while everybody else start.
2. When tek or tracy at the time she was employd mess with my hours, and nobody else
3. Tek the supervisor when he dosen't want to work around me im not on my floor he puts me with another manager.
4. I feel like money has been taken from rooms being strip by houseman.
5. The hotel is already losing its name corparte came and came down on the hotel hard so in a meeting the own Mr. Partel said ~~black~~ to fire all blacks
Im the only black work in my department the rest Mexican and all illegal one
cleans the general manager house Plus Hotel.
6. The Mexicans allways get treated better im fired Im suspended for no reason other than doing my JOB Its so one sided everybody is
(Attach no more than five additional sheets if necessary; type or write legibly only on one side of a page.)

15. Plaintiff

✓

still works for defendant(s)
no longer works for defendant(s) or was not hired

16. If this is a disability-related claim, did defendant(s) deny a request for reasonable accommodation? Yes No

If you checked "Yes," please explain: _____

17. If your case goes to trial, it will be heard by a judge unless you elect a jury trial. Do you request a jury trial? Yes No

Request for Relief

As relief from the allegations of discrimination and/or retaliation stated above, plaintiff prays that the Court grant the following relief (check any that apply):

✓

Defendant(s) be directed to and one week suspension

✓

Pay Im suspended for no reason. my Job
Money damages (list amounts) MONEY WAS STOLEN Thats all

✓

OUT my locker twice went to her about it and nonthin was done

Costs and fees involved in litigating this case

\$ 60

✓

Such other relief as may be appropriate

PLEASE READ BEFORE SIGNING THIS COMPLAINT

Before you sign this Complaint and file it with the Clerk, please review Rule 11 of the Federal Rules of Civil Procedure for a full description of your obligation of good faith in filing this Complaint and any motion or pleading in this Court, as well as the sanctions that may be imposed by the Court when a litigant (whether plaintiff or defendant) violates the provisions of Rule 11. These sanctions may include an order directing you to pay part or all of the reasonable attorney's fees and other expenses incurred by the defendant(s). Finally, if the defendant(s) is the prevailing party in this lawsuit, costs (other than attorney's fees) may be imposed upon you under Federal Rule of Civil Procedure 54(d)(1).

Signed, this 29 day of June, 20 15

Nicole Mitchell
(Signature of plaintiff *pro se*)

Nicole Mitchell
(Printed name of plaintiff *pro se*)

34165 Parc Drive SW
(street address)

Atlanta Ga 303
(City, State, and zip code)

npmitchell1616@hotmail.com
(email address)

678-1668 9682
(telephone number)